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*In this issue*

COMMERCIAL POLICY OBJECTIVES: *Address by William A. Fowler* ☆

CHANGES IN THE LAWS GOVERNING IMMIGRATION AND  
NATURALIZATION OF CHINESE: *By Richard W. Flournoy* ☆ ☆

INTERDEPARTMENTAL COMMITTEE ON COOPERATION WITH  
THE AMERICAN REPUBLICS: *By Raymund L. Zwemer* ☆ ☆ ☆



# THE DEPARTMENT OF STATE BULLETIN

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# Recognition of Syrian and Lebanese Independence

## STATEMENT BY THE PRESIDENT

[Released to the press by the White House September 20]

I have sent to the Senate the name of George Wadsworth for confirmation as Envoy Extraordinary and Minister Plenipotentiary near the Governments of Syria and Lebanon. Recognition of the independence of Syria and Lebanon by the United States Government is a step in which I, like every American, can take whole-hearted pleasure. Our civilization has deep roots in the culture and wisdom of the Middle East. It is wholly fitting, therefore, that these spiritual bonds should find

this new expression in closer political relations with these two free Arab states. The peoples of Syria and Lebanon have given ample evidence of their adherence to the principles of democracy and international collaboration. In welcoming them into the society of free sovereign nations, I am glad to pay tribute to the French people, who, while fighting gallantly for their own liberation, have given practical illustration of their ideals by taking action to implement the independence of the Syrian and Lebanese peoples.

## STATEMENT BY THE SECRETARY OF STATE

[Released to the press September 19]

The recognition by the United States of the independence of Syria and Lebanon by the accrediting of an American Envoy Extraordinary and Minister Plenipotentiary to the Governments of those countries is a matter of gratification to the people and Government of the United States.

The eventual right of Syria and Lebanon to independence was recognized by the terms of the mandate entrusted to France. Since the proclamation issued at Damascus regarding the independence of Syria and the proclamation issued at Beirut regarding the independence of Lebanon, in 1941,<sup>1</sup> effective powers have been transferred to

the Governments of both countries, subject to the exigencies of war. In that process French cooperation has been of great assistance.

I am confident that the free nations of Syria and Lebanon will play a helpful part in the cooperative task of international peace and progress which lies before us.

The rights of the United States and its nationals in Syria and Lebanon, as defined in the convention between the United States and France dated April 4, 1924,<sup>2</sup> will remain unchanged pending the conclusion of new accords between the United States and Syria and Lebanon, respectively. The notes exchanged on this subject between this Government and the Governments of Syria and Lebanon will be made public in the near future.

<sup>1</sup> BULLETIN of November 29, 1941, p. 440.

<sup>2</sup> Treaty Series 695.



# EXCHANGE OF NOTES BETWEEN REPRESENTATIVES OF THE UNITED STATES AND SYRIAN AND LEBANESE GOVERNMENTS

[Released to the press September 23]

The note of the American Diplomatic Agent and Consul General to Syria and Lebanon, George Wadsworth, to the Minister of Foreign Affairs of the Republic of Syria follows:

SEPTEMBER 7, 1944.

EXCELLENCY:

I have the honor to inform Your Excellency that my Government has observed with friendly and sympathetic interest the accelerated transfer of governmental powers to the Syrian and Lebanese Governments since November 1943 and now takes the view that the Syrian and Lebanese Governments may now be considered representative, effectively independent and in a position satisfactorily to fulfill their international obligations and responsibilities.

The United States is, therefore, prepared to extend full and unconditional recognition of the independence of Syria, upon receipt from Your Excellency's Government of written assurances that the existing rights of the United States and its nationals, particularly as set forth in the treaty of 1924 between the United States and France, are fully recognized and will be effectively continued and protected by the Syrian Government, until such time as appropriate bilateral accord may be concluded by direct and mutual agreement between the United States and Syria.

I am to add that, following the receipt of such assurances, my Government proposes to appoint an Envoy Extraordinary and Minister Plenipotentiary as its representative near the Syrian Government and would be pleased to receive in the United States a diplomatic representative of Syria of the same grade.

Accept [etc.]

GEORGE WADSWORTH

The reply by the Minister of Foreign Affairs of Syria to Mr. Wadsworth's note follows:

DAMAS, le 8/9/44.

SIR:

I have the honour to inform you that I have received with satisfaction your note dated 7th. September, 1944, in which you conveyed the view of the United States Government that the Syrian

Government may now be considered representative, effectively independent and in a position satisfactorily to fulfill its international obligations and responsibilities; and that therefore the United States is prepared to extend full and unconditional recognition of the independence of Syria, upon receipt of written assurances that the existing rights of the United States and its nationals, particularly as set forth in the Treaty of 1924 between the United States and France, are fully recognised and will be effectively continued and protected by the Syrian Government, until such time as appropriate bilateral accord may be concluded by direct and mutual agreement between the United States and Syria.

The Syrian Government have taken note of the friendly attitude of the United States Government, and they highly appreciate this noble geste. It is my pleasant task to convey to you the assurances of the Syrian Government that the existing rights of the United States and its nationals, particularly as set forth in the Treaty of 1924 between the United States and France, are fully recognised and will be effectively continued and protected, until such time as appropriate bilateral accord may be concluded by direct and mutual agreement between Syria and the United States.

I have the honour to add that the Syrian Government welcome the proposed appointment by the Government of the United States, of an Envoy Extraordinary and Minister Plenipotentiary as representative accredited to the President of the Syrian Republic, and propose to appoint a representative of the same rank to be accredited near the President of the United States.

I avail [etc.]

JAMIL MARDAM BEY

Mr. Wadsworth's note to the Minister of Foreign Affairs of the Republic of Lebanon follows:

SEPTEMBER 7, 1944.

EXCELLENCY:

I have the honor to inform Your Excellency that my Government has observed with friendly and sympathetic interest the accelerated transfer of governmental powers to the Lebanese and Syrian Governments since November 1943 and now takes



the view that the Lebanese and Syrian Governments may now be considered representative, effectively independent and in a position satisfactorily to fulfill their international obligations and responsibilities.

The United States is, therefore, prepared to extend full and unconditional recognition of the independence of Lebanon, upon receipt from Your Excellency's Government of written assurances that the existing rights of the United States and its nationals, particularly as set forth in the treaty of 1924 between the United States and France, are fully recognized and will be effectively continued and protected by the Lebanese Government, until such time as appropriate bilateral accord may be concluded by direct and mutual agreement between the United States and Lebanon.

I am to add that, following the receipt of such assurances, my Government proposes to appoint an Envoy Extraordinary and Minister Plenipotentiary as its representative near the Lebanese Government and would be pleased to receive in the United States a diplomatic representative of Lebanon of the same grade.

Accept [etc.] GEORGE WADSWORTH

The reply by the Minister of Foreign Affairs of Lebanon to Mr. Wadsworth's note follows:

*BEYROUTH, le 8 Septembre 1944.*

SIR:

I have the honour to inform you that I have received with satisfaction your note dated 7th September, 1944, in which you conveyed the view of the United States Government that the Lebanese Government may now be considered representative, effectively independent and in a position satisfactorily to fulfill its international obligations and responsibilities; and that therefore the United States is prepared to extend full and unconditional recognition of the independence of Lebanon upon receipt of written assurances that the existing rights of the United States and its nationals, particularly as set forth in the Treaty of 1924 between the United States and France, are fully recognized and will be effectively continued and protected by the Lebanese Government until such time as appropriate bilateral accord may be concluded by direct and mutual agreement between the United States and Lebanon.

The Lebanese Government have taken note of the friendly attitude of the United States Government, and they highly appreciate this noble geste. It is my pleasant task to convey to you the assurances of the Lebanese Government that the existing rights of the United States and its nationals particularly as set forth in the Treaty of 1924 between the United States and France, are fully recognised and will be effectively continued and protected, until such time as appropriate bilateral accord may be concluded by direct and mutual agreement between Lebanon and the United States.

I have the honour to add that the Lebanese Government welcome the proposed appointment by the Government of the United States, of an Envoy Extraordinary and Minister Plenipotentiary as representative accredited to the President of the Lebanese Republic, and propose to appoint a representative of the same rank to be accredited near the President of the United States.

I avail [etc.]

SÉLIM TAKLA

## Boundary Settlement By Costa Rica and Panama

*Statement by THE SECRETARY OF STATE*

[Released to the press September 18]

The Secretary of State made the following statement on the meeting on September 18 between President Teodoro Picado of Costa Rica and President Ricardo Adolfo de la Guardia:

"The Presidents of Costa Rica and Panama are meeting today at a point near the border of their two countries to celebrate an auspicious event—the final demarcation of their common boundary. As a tribute to the collaboration of the Chilean adviser to the Boundary Commissions, they have selected today, the Chilean national holiday, to celebrate the conclusion of this task.

"In arriving by mutual agreement at a definitive settlement of this old and difficult problem, the Governments of Costa Rica and Panama have not only shown great statesmanship but have also demonstrated the effectiveness of the inter-American principle of the settlement of disputes by peaceful means and have provided another example of the practical value of hemisphere solidarity and cooperation."

## Denial of Previous Information On Pearl Harbor Attack

[Released to the press September 22]

The Secretary of State has received the following letter from Sir Owen Dixon, Minister of Australia:

AUSTRALIAN LEGATION,  
WASHINGTON, D. C.,  
21st September, 1944.

DEAR MR. SECRETARY:

I have just been informed over the telephone by a representative of the press that Congressman Church informed the House of Representatives this afternoon that he held a sworn statement that on some private occasion I had said that in Australia, forty-eight hours before Pearl Harbour, I knew that a Japanese task force was about to attack somewhere and that a little later I learned that it was about to attack American territory. I at once informed the press, as the fact is, that I had never had any information that any Japanese force was about to attack any territory of the United States or any information that any warlike measures were likely to be taken against the United States and never said so.

I have not yet had an opportunity of seeing the Congressional Record or any other report of what actually took place in the House, but I felt that I should not delay acquainting you with the matter.

Yours sincerely,

OWEN DIXON

## Freedom of Information

[Released to the press September 18]

A correspondent submitted the following question to the Secretary of State:

"In view of the developing wide-spread interest on the subject of international news freedom, is there any thought that you would care to express about your own views on this subject?"

The Secretary of State made the following statement in reply:

"The whole question of freedom of information has been under study in the Department of State

<sup>1</sup> BULLETIN of Apr. 1, 1944, p. 300, and July 16, 1944, p. 60.

for some time. I have consistently supported the cause of freedom of news and I would support any practical measure to give international recognition to this principle."<sup>1</sup>

## Entry of Allies into the Netherlands

Statement by THE PRESIDENT

[Released to the press by the White House September 18]

For four long years the Netherlands has suffered under the heel of German oppression. For four long years its liberties have been crushed, its homes destroyed, its people enslaved. But the spark of freedom could never be extinguished. It has always glowed in the hearts of the Netherlands people. It now emerges as an avenging flame.

The armies of liberation are flowing across the borders of Holland. A gallant Queen is returning to her gallant people. The Netherlands again stands on the threshold of her ancient liberties.

But the fight will not end with the restoration of freedom to Holland. It will not end with the inevitable defeat of Germany. The people of the Netherlands know as the people of the United States know that final victory cannot be achieved until Japan has likewise been vanquished.

Only then can peace and freedom return to the world.

Statement by THE SECRETARY OF STATE

[Released to the press September 18]

The entry of Allied troops into the Netherlands heralds the restoration of freedom to a gallant and heroic people. The day of retribution for the treacherous attack on peaceful Holland and the barbaric destruction of defenseless Rotterdam is now at hand.

Defeated but never vanquished, occupied but never conquered, the people of the Netherlands have never wavered in their belief in the final victory. Side by side with their Allies the Netherlands people at home and abroad have fought in the common cause. Side by side they will continue the fight until the Netherlands Indies as well as the homeland have been liberated.

# Commercial Policy Objectives

Address by WILLIAM A. FOWLER<sup>1</sup>

[Released to the press September 20]

Public awareness of the importance of international trade to our material welfare and to our general relations with other countries has grown remarkably during the past 15 years. There now appears to exist, throughout the country and among leaders of both major political parties, a large measure of agreement on the objectives of post-war trade policy. Put briefly, these objectives are: (1) an expansion of international trade great enough to make an important contribution to our material welfare, in terms of jobs and higher standards of living, and (2) the strengthening of the economic foundation for a peace that will last for more than one or two generations.

The wide-spread agreement on these broad objectives is most encouraging. It means that we have come to realize, from the disheartening years of economic depression and from the supreme tragedy of a second world war within a single generation, that in the interest of our own welfare we must learn how to live in harmony with the peoples of other countries. It means that we are determined to avoid a repetition of the economic warfare we and others engaged in after 1918. It means, above all, that we will strive, through forward-looking national and international measures, to bring about the kind of world we want—a world in which dynamic economic forces, capable of providing productive full employment and of satisfying the expanding wants of mankind, are permitted to operate without unreasonable restraints and without the repressions and distortions that stem from fear of war and preparation for war. Achievement of this kind of world will depend, to a very important degree, upon cooperative action to remove unreasonable trade barriers in order to make possible a progressive expansion of international trade after the war.

The feeling of optimism encouraged by the general agreement on post-war trade objectives should

not lull us into the belief that, without any special effort, we can roll along toward those objectives. There is urgent need for general, non-partisan agreement on a dynamic trade policy suited to the post-war needs of the country. It is hoped that the stage of plans and counter-plans will soon be over; that there will emerge, before long, one that will command general public support.

Early agreement on such a policy is needed for several reasons. First, the urgency of the problem of reconverting production from a wartime to a peacetime basis is each day becoming more apparent. A definite foreign-trade policy would provide the businessmen of America, and of other countries, with a basing point to guide them in making their individual plans for the future.

Second, there must be a solid foundation for the resumption and expansion of private international trade as soon as hostilities cease. If we are to have productive employment of those now engaged in war work and of the millions now serving in the armed forces we must not allow restrictive pre-war trade barriers and wartime trade restrictions to stand in the way of the earliest and fullest possible development of mutually beneficial trade.

Moreover, as long as there is uncertainty about post-war trade relations, there will be uncertainty about general post-war economic relations. The currency-stabilization and international-investment projects worked out at the Bretton Woods conference merit support as integral parts of a broad program of international economic cooperation. The successful functioning of these proposed financial institutions, however, will be closely related to the success of international efforts to bring about an expansion of trade, on a multi-lateral basis, through appropriate action in regard to trade barriers and other matters affecting the volume and flow of trade between countries.

In evaluating proposals concerning our post-war trade policy, a number of rather simple tests can be applied:

One. *Does the proposal give real promise of producing, year after year, a substantial increase in trade over pre-war levels?* There is a sharp

<sup>1</sup> Delivered before the Christ Church Forum, New York, N. Y., Sept. 20, 1944. Mr. Fowler is Chief of the Division of Commercial Policy, Office of Economic Affairs, Department of State.



contrast, in this respect, between a trade program based largely on a policy of importing principally raw materials for industrial use or national stockpiles and one based upon a world-wide reduction of restrictive trade barriers of all kinds. Increased imports of raw materials alone will not begin to solve the post-war trade problem. What is needed is the substantial reduction of all restrictive tariffs, elimination of harmful trade discriminations, and the removal of unreasonable prohibitions and restrictions on trade, throughout the world. International cooperation is needed also to deal with restrictive practices of monopolies and cartels and with commodities the world supply of which tends to exceed effective demand. What is needed, in short, is a comprehensive program of action along the lines indicated in the Atlantic Charter, to which the governments of all the United Nations have subscribed or adhered, and in article VII of our mutual-aid agreements with many of the same nations.

Two. *Does the proposal involve discriminatory treatment of friendly countries?* The suggestion is sometimes made that the reduced rates of duty on selected items provided for in an agreement with one country should be applied only to imports from that country, while similar articles from other friendly countries remain subject to higher rates of duty. That would be a good way to lose friends and business too. If this country ever threw overboard its traditional policy of tariff equality—known as the unconditional most-favored-nation policy—our export trade would immediately lose valuable benefits and protection. It would at once become vulnerable to counter-discriminations on the part of other countries, and our general relations with them would be embittered. Our international obligations stand in the way of our adoption of any such suggestion. So does plain common sense.

Three. *Does the proposal involve more governmental control of our foreign trade than there has been in the past?* During the war, a very large part of our foreign trade has been under government regulation or management. This has been generally accepted as necessary to the most effective mobilization of our resources. The same is true of the meshing of our wartime trade controls with those of our Allies—particularly the United Kingdom and Canada—through combined boards. Some post-war trade plans contemplate a rather

extensive regulation of private trading in time of peace and a considerable amount of state trading, that is, government purchases of foreign goods for resale in the home market, or government purchases of domestic products for sale abroad. Several forms of federal foreign-trade boards have also been suggested. Such a board would control every trade transaction through its power to give or withhold a required license. Traditionally, of course, the American people have favored private enterprise and private initiative, and most Americans realize that government control of foreign trade would mean government control of domestic business also.

Just one more observation. Many proposals or measures of national importance have failed of adoption or, if adopted, have had their effectiveness impaired because of apathy or inaction on the part of the general public. Almost every forward-looking measure suffers, also, because of lack of support from some of those who want to go in the same direction, but much farther and much faster. It is to be hoped that whatever post-war trade plan emerges, through public discussion and exploratory intergovernmental conversations, will receive wide-spread support by the public, including those who may feel that it falls short of goals they consider desirable. It may be expected that skillful and active minorities will fight any forward-looking trade policy. A vocal and active majority is needed now and will be needed in the critical months and years ahead if we are to make progress, with the help of our friends in other countries, toward the objective of an expanding world trade and the material benefits it can bring and if we are to make progress toward the closely related objective of a strengthened economic foundation for enduring peace.

## LEGISLATION

Relating to the Imposition of Certain Penalties and the Payment of Detention Expenses Incident to the Bringing of Certain Aliens into the United States. S. Rept. 1099, 78th Cong., to accompany S. 963. [Favorable report.] 4 pp.

Civil Aviation. H. Rept. 1893, 78th Cong., pursuant to H. Res. 307. 16 pp.

Extending the Existence of the Alaskan International Highway Commission for an Additional 4 Years. S. Rept. 1108, 78th Cong., to accompany H. R. 4625. [Favorable report.] 1 p.

# The Interdepartmental Committee on Cooperation With the American Republics

By RAYMUND L. ZWEMER<sup>1</sup>

More than six years ago the Interdepartmental Committee on Cooperation With the American Republics was created as an instrument of the United States Government to undertake a permanent, cooperative program for the development of social, economic, cultural, and scientific relations with our sister republics. Throughout the war the Committee has carried forward the planning and execution of this long-range endeavor to promote mutual progress and understanding.

A review of the origin and activities of the Committee will demonstrate the role for which it was conceived. At the suggestion of the President the Committee was established early in 1938 to coordinate the activities of departments and agencies of the Government, under the leadership of the Department of State, in undertaking cooperative projects in the Western Hemisphere. The Congress showed great interest in the objective and passed two acts implementing the operations of the Committee.

"AN ACT authorizing the temporary detail of United States employees, possessing special qualifications, to governments of American republics and the Philippines, and for other purposes" was approved on May 25, 1938, followed by the amended act of May 3, 1939 (Public Law 63, 76th Cong.; 53 Stat. 652), which expanded the first act to include the Government of Liberia and authorized the President to detail experts to those countries under certain conditions. These appointments are made *at the request of other governments, with all or part of the expenses being paid by the country desiring assistance or advice.*

The Committee's activities are for the most part, however, indicated in the act of August 9, 1939 (Public Law 355, 76th Cong.; 53 Stat. 1290), which provides that "in order to render closer and more effective the relationship between the American republics the President of the United States is hereby authorized, subject to such appropriations

as are made available for the purpose, to utilize the services of the departments, agencies, and independent establishments of the Government in carrying out the reciprocal undertakings and cooperative purposes enunciated in the treaties, resolutions, declarations, and recommendations signed by all of the twenty-one American republics at the Inter-American Conference for the Maintenance of Peace held at Buenos Aires, Argentina, in 1936, and at the Eighth International Conference of American States held at Lima, Peru, in 1938."

As a result of this legislation the Committee was organized to operate under the immediate direction of the Under Secretary of State as chairman. Committee activities were coordinated by a secretariat composed of Department of State employees in the former Division of the American Republics. On April 15, 1942 these functions were transferred to the Division of Cultural Relations. On January 15, 1944 the secretariat was transferred to the Office of American Republic Affairs, where it was given a definitive place in the Department in keeping with its responsibilities.

The Committee, through its 27 members representing 19 departments or agencies of the Government, has at its disposal the vast funds of knowledge, experience, and technical skills which Federal agencies have developed over a period of many years, and it is through the utilization of these varied resources available in Washington that the Committee is able to conduct the well-rounded program of today.

While retaining the unity and cohesion necessary for a balanced and integrated program, the Committee is so organized that it receives the benefit of the advice from all its members who are specialists in diversified fields. The Committee is supported by Subcommittees on Projects, Long-Range Planning, Publications, and Fellowships and Intern Training. It is the general policy of the Committee to correlate projects in the economic, social, scientific, and intellectual fields to meet most effectively the needs of people in the American republics in all walks of life. The proj-

<sup>1</sup>Dr. Zwemer is chairman of the Interdepartmental Committee on Cooperation With the American Republics, Office of American Republic Affairs, Department of State.

"The purpose of this program has been, and will continue to be . . . the development of channels for the utilization of the people of this country and the peoples of the twenty other American republics in the consummation of their desires for a closer and more sympathetic understanding of each other's life, language, and culture. Although this is a long-term program, as distinguished from the program of the Coordinator of Inter-American Affairs in those countries, many of the operations which are being performed within the scope of this appropriation are directly connected with the war effort, and the results that are being obtained have not only contributed considerably to a better social and political understanding between the United States and the republics to the south of us, so vital at this time, but also have directly aided the conduct of the war."—House Committee on Appropriations, Report No. 1149, presented by the Honorable Louis C. Rabaut, February 16, 1944.

ects range from teaching a back-country farmer the best way to raise sisal to arranging for an exchange-professorship in electronic physics. The Committee is particularly concerned with avoiding duplication of the functions of other organizations and agencies, public or private.

At the request of the Congress all items for cooperative programs with the other republics are combined into one appropriation, to eliminate the confusion and duplication which might be involved in the appearance of each department or agency before the Congress to obtain individual allocations for these 60 cooperative projects. On the basis of requests and background material furnished the 12 Government agencies participating at present in the Committee's program, the Projects Subcommittee presents the annual program to the Committee. After necessary modifications and changes have been made, these estimates of appropriations are turned over to the Division of Budget and Finance of the Department of State where the actual preparation of the budget is made for incorporation into the budget request of the Department.

In addition to their interdepartmental responsibilities the chairman and the vice chairman of the Committee are members of the staff of the Office of American Republic Affairs, their relation to the Committee secretariat in the Office corresponding to that of Division Chief and Assistant

Division Chief. The secretariat is divided into two sections: Program Operations and Program Control.

The Program Operations Section is responsible for utilizing the facilities and services of all departments and agencies of the Federal Government in reciprocal and cooperative projects and for implementing the general policies of the Department and the Committee. It facilitates clearance of all projects and handles budgetary procedures.

The Program Control Section is, in turn, responsible for a continuous process of review and evaluation of current and past projects. This section is also responsible for the appraisal of future projects of the participating agencies in view of the Government's long-range objectives and policies. Its officers carry out the necessary liaison, research, planning, and reporting activities which afford the Committee and the Subcommittees accurate and detailed information from which the development of their cooperative program is analyzed.

One of the chief activities of the program includes 17 types of cooperative projects of a technical or scientific nature, such as: the development of vital statistics of the Western Hemisphere, which in part involves sending medical statisticians to work with the other American republics in reorganizing and improving their collection of vital statistics; the detail of medical officers for investigation in methods of insect eradication and control of malaria and bubonic plague; important research in anthropology and in labor standards. Child-welfare agencies have been established to investigate labor laws and conditions affecting children in the families of laborers. In the general field of biology studies have been made of marine and fresh-water resources and oceanographic investigations. Agricultural-experiment stations develop long-range programs of collaborative research on plant products produced in the tropics which complement those grown in the United States. A number of experimental investigations deal with quinine, essential oils, fibers, insecticide-producing plants, and other crops.

The cultivation of rubber under cooperative agreements with 14 of the other American republics has led to successful and economical control of the South American leaf blight in nurseries, together with crown budding with resistant strains



which permits safe field planting of the highest yielding Oriental strains. Improvement in methods of bud grafting and in the development of an assortment of unique hybrid strains has also resulted from this project.

Research on tides in Central and South America has provided valuable information for the use of the Navy and the merchant marine, while magnetic and seismological observations aid in aeronautical navigation and telecommunications.

Investigations of the mineral resources and weather forecasting in the other American republics are additional examples of the many projects undertaken.

For specialized training in government, fellowships are offered in many of the fields previously mentioned and others, ranging from budget administration and aviation to tariff problems and archival science. Funds are allocated by the Committee to the Division of Cultural Cooperation of the Department of State for exchanges of distinguished citizens, professors, and students; for assistance in the cooperative maintenance of United States cultural institutes abroad; for aid to United States schools and libraries in the other republics; and for the exchange of publications and translations.

One of the more effective means of promoting international cooperation is the exchange of stu-

dents and professional men and women who return to their respective countries with a better understanding of the problems of the nation visited. Those receiving technical training are generally placed in responsible positions in their respective government agencies or public institu-

(Continued on page 329)

### Members of the Interdepartmental Committee on Cooperation With the American Republics

Norman Armour, Acting Director, Office of American Republic Affairs, *Department of State*

E. B. Brossard, Commissioner, *United States Tariff Commission*

Hugh S. Cumming (*ex officio*), Director, *Pan American Sanitary Bureau*

Stephen P. Dorsey, Vice Chairman, Interdepartmental Committee on Cooperation with the American Republics, *Department of State*

Edward C. Ernst, Assistant Director, *Pan American Sanitary Bureau* (representing *Public Health Service, Federal Security Agency*)

Herbert E. Gaston, Assistant Secretary of the Treasury, *Department of the Treasury*

John E. Graf, Associate Director, *National Museum, Smithsonian Institution*

Lewis Hanke, Director, *Hispanic Foundation, Library of Congress*

Roscoe R. Hill, Chief, Division of State Department Archives, *National Archives*

Kenneth G. Holland, Director, Division of Education, *Office of the Coordinator of Inter-American Affairs*

E. W. James, Chief, Inter-American Regional Office, Public Roads Administration, *Federal Works Agency*

Katharine F. Lenroot, Chief, Children's Bureau, *Department of Labor*

Frank J. Mahoney, Executive Assistant to Deputy Administrator Conway, War Shipping Administration, *Maritime Commission*

Ross E. Moore, Chief, Technical Collaboration Branch, Office of Foreign Agricultural Relations, *Department of Agriculture*

John C. Patterson, Chief, Division of Inter-American Educational Relations, *United States Office of Education, Federal Security Agency*

Warren Lee Pierson, President, *Export-Import Bank of Washington*

Ellis Reed-Hill, Captain, *United States Coast Guard, Department of the Navy*

Oswald Ryan, Member, *Civil Aeronautics Board, Department of Commerce*

C. I. Stanton, Deputy Administrator, *Civil Aeronautics Administration, Department of Commerce*

Guillermo Suro, Acting Chief, Central Translating Division, *Department of State*

Charles A. Thomson, Adviser, Office of Public Information, *Department of State*

Benjamin W. Thoron, Director, Division of Territories and Island Possessions, *Department of the Interior*

Herbert Wechsler, Assistant Attorney General, War Division, *Department of Justice*

Marion Woodward, Chief, International Division, Engineering Department, *Federal Communications Commission*

George Wythe, Chief, American Republics Unit, *Bureau of Foreign and Domestic Commerce, Department of Commerce*

Edgar B. Young, Executive Assistant, Division of Administrative Management, *Bureau of the Budget*

Raymund L. Zwemer, Chairman, Interdepartmental Committee on Cooperation with the American Republics, *Department of State*

On December 17, 1943 the President approved an act of Congress "to repeal the Chinese Exclusion Acts, to establish quotas, and for other purposes." (Public Law 199, 78th Cong.) The adoption of that measure removed what had been for many years a cause of embarrassment and irritation and one of the few factors marring the traditionally friendly relations between the United States and China. The "ineligible to citizenship" provision in Section 13 (c) of the Immigration Act of 1924<sup>2</sup> has been a subject of criticism, but that provision was generic and not aimed expressly at persons having any given nationality, as were the Chinese exclusion laws. The repeal of the latter is therefore most fortunate, especially at a time when our country is fighting shoulder to shoulder with China in the greatest and most crucial war of history.

One hundred years ago we concluded our first treaty with China: the Treaty of Peace, Amity, and Commerce signed on July 3, 1844.<sup>3</sup> Our principal concern then was not with regulating the entry of Chinese into this country, since none were seeking entry, but with the entry of Americans into China, especially for purposes of trade. The Chinese had been living pretty much to themselves for many centuries. As far back as the fifteenth century before Christ they had attained a high degree of civilization. Their way of life, however, differed greatly from that of the countries of Europe and America. They spoke of their country as the "Middle Kingdom", the center of the civilized world, and regarded Europeans and Americans as uncivilized. In 1844 they were reluctant to open their doors freely to the foreign merchants, including Americans, who had then become aware of the great possibilities to be found in trade with the Orient. Thus the Chinese Government regarded as a liberal concession the permission which it accorded to Americans in the treaty of 1844 "to frequent the five ports of Kwang-chow [Canton], Amoy, Fuchow, Ningpo and Shanghai" for purposes of trade.

<sup>1</sup> Mr. Flournoy is an Assistant to the Legal Adviser, Department of State.

<sup>2</sup> 43 Stat. (pt. 1) 153.

<sup>3</sup> I *Treaties, Conventions, International Acts, Protocols and Agreements Between the United States of America and Other Powers* (Malloy, 1910) 196.

<sup>4</sup> *Ibid.*, p. 211.

<sup>5</sup> Tso-Chien Shen, *What "Chinese Exclusion" Really Means* (China Institute in America, Inc., 1942), p. 9.

## Changes in the Laws Governing Naturalization

By RICHARD W. FILLMORE

The next treaty with China, which was signed on June 18, 1858,<sup>4</sup> showed that the Chinese were still uneasy about Americans and their Minister. The latter was permitted to visit the capital city only for brief periods to transact official business. Article V contained the following remarkable provision:

"... His visits shall not exceed one in each year, and he shall complete his business without unnecessary delay. He shall be allowed to go by land or come to the mouth of the Peiho, into which he shall not bring ships of war, and he shall inform the authorities at that place in order that boats may be provided for him to go on his journey. He is not to take advantage of this stipulation to request visits to the capital on trivial occasions."

In 1848, in the interval between the two treaties, three events occurred which had far-reaching effects upon the future history of our country and upon our relations with China. In that year we acquired from Mexico the vast territory in the West which later became the States of California, Nevada, Utah, Arizona, and parts of Wyoming, Colorado, and New Mexico; gold was discovered in California; and the brig *Eagle* arrived from Hong Kong at the port of San Francisco with three Chinese immigrants on board, two men and a woman.<sup>5</sup>

The discovery of gold in California resulted in a rush of Americans, the "Forty-Niners", from the eastern States to the west coast; and it was also no doubt one of the causes of the great inflow of Chinese. It is said that at the end of the year 1852 there were 25,000 Chinese in California and that 10 years later the number had increased to 54,000, about one half of whom were engaged in mining; the others followed various occupations, including truck gardening and farm labor. Shortly afterwards the Southern and Central Pacific Railroads were built, to a great extent by Chinese labor. Upon the completion of the railroads in 1869 the Chinese turned to other forms of labor. They were willing to work for wages equal to about one

# Governing Immigration and Protection of Chinese

HARD W. FLOURNOY<sup>1</sup>

half of those demanded by Americans. American laborers objected to this competition, and the agitation began which gave rise to controversies and riots culminating in the passage of the Chinese Exclusion Act of May 6, 1882.<sup>2</sup>

The act of 1882 was passed in pursuance of the immigration treaty, which was signed November 17, 1880 and proclaimed October 5, 1881.<sup>3</sup> Article I of that treaty, which is important in showing the grounds and scope of the restrictions which it was agreed this Government could properly place upon the entry of Chinese, reads as follows:

"Whenever in the opinion of the Government of the United States, the coming of Chinese laborers to the United States, or their residence therein, affects or threatens to affect the interests of that country, or to endanger the good order of the said country or of any locality within the territory thereof, the Government of China agrees that the Government of the United States may regulate, limit, or suspend such coming or residence, but may not absolutely prohibit it. The limitation or suspension shall be reasonable and shall apply only to Chinese who may go to the United States as laborers, other classes not being included in the limitations. Legislation taken in regard to Chinese laborers will be of such a character only as is necessary to enforce the regulation, limitation or suspension of immigration, and immigrants shall not be subject to personal maltreatment or abuse."

Article II of the treaty expressly provided that "Chinese subjects, whether proceeding to the United States as teachers, students, merchants or from curiosity, together with their body and household servants" should "be allowed to go and come of their own free will and accord" and should "be accorded all the rights, privileges, immunities and exemptions which are accorded to the citizens and subjects of the most favored nation". Article III provided that "Chinese laborers, or Chinese of any other class" then residing in the United States should be given most-favored-nation treatment in the protection of their rights.

An obvious hiatus existed between the provisions of Articles I and II of the treaty of 1880: the former provided that "Chinese laborers" might be excluded; the latter provided for the admission of Chinese of four specified classes, "teachers, students, merchants", and persons coming "from curiosity", that is, tourists. Nothing was said about Chinese who on the one hand did not belong to any of the four classes just mentioned but on the other hand could hardly be classified as laborers—such, for example, as newspapermen (whether owners, editors, or reporters), physicians, architects, and builders. The history and object of the treaty would seem to indicate that the exclusion was directed only at laborers and that the four classes specified in Article II were mentioned only as examples or to make it entirely clear that Chinese belonging to those classes were not to be classified as laborers. It was a case of bad treaty drafting, a case in which the exercise of care in drafting might have prevented hardship on the part of those directly affected, to say nothing of difficulties on the part of administrative officers and judges who were called upon to construe and apply the provisions of the treaty.

The title of the act of 1882, "An Act to execute certain treaty stipulations relating to Chinese", made it all the more important to construe the treaty in accordance with its true intent. However, notwithstanding the historical background and the fact that the agreement relates expressly to the exclusion of "laborers", the courts as well as the administrative authorities placed upon it a strict and narrow construction and held that it excluded all Chinese, whether or not they were "laborers" within the ordinary acceptance of that term, unless they belonged to one or another of the four classes specified in the treaty, or unless they were classifiable as returning resident laborers, Government officials, their families, and attendants, Chinese wives of American citizens (provided for in the act of June 13, 1930, 46 Stat. 581, 8 U.S.C. § 213), transients, and seamen.<sup>4</sup>

<sup>2</sup> 22 Stat. 58.

<sup>3</sup> 1 *Treaties, etc.* (Malloy, 1910) 237.

<sup>4</sup> See *Foreign Service Regulations* (Department of State), Visa Supplement B, Jan. 1941. See also *U. S. v. Crouch* (1911), 185 Fed. 907. For a history of this subject prior to 1909 see Mary Roberts Coolidge, *Chinese Immigration* (Henry Holt and Co., 1909).



Amendments and additions to the above act were made in the act of July 5, 1884,<sup>9</sup> and in 13 subsequent acts, all of which are mentioned in the repealing provision found in Section 1 of the act of December 17, 1943, referred to above. It is unnecessary to set forth in this article the various provisions found in this concatenation of statutes. They have given rise to hundreds of actions in the courts and have required the issuance of numerous administrative regulations. Thus they occupy not less than 125 pages of the U. S. Code Annotated (Title 8, Ch. 7).

Mention may be made of the fact that the act of 1884 "suspended" for 10 years "the coming of Chinese laborers to the United States". That 10 years' suspension was repeated in subsequent laws and finally was made indefinite.

Special mention may be made also of the provisions of Section 6 of the act of 1882, as amended, under which Chinese coming to the United States as members of the exempted classes were required to provide themselves with certificates issued by the Chinese Government giving a description of the bearer and showing that "such person is entitled conformably to the treaty in this act mentioned to come within the United States". Failure to present those "Section 6 certificates" and defects in certificates presented were causes of endless trouble and suits in the courts.<sup>10</sup> In some cases administrative authorities, in order to prevent unreasonable obstruction to normal international intercourse, have in recent years resorted to a broad construction of the treaty and statutory provisions in question. Thus, in order to admit a Chinese newspaper editor he was classified as a "teacher".<sup>11</sup> On the other hand, as an example of a strict and narrow construction of the treaty, restaurant proprietors were classified as laborers and not as merchants.<sup>12</sup> In order to exclude Chinese gamblers and highbinders they were classified as laborers.<sup>13</sup>

<sup>9</sup> 23 Stat. 115.

<sup>10</sup> See, for example, *Ng Fung Ho v. White* (1922), 250 U. S. 276.

<sup>11</sup> The Secretary of Commerce and Labor to the Secretary of State, Mar. 17, 1908 (III Hackworth, *Digest of International Law*, p. 796).

<sup>12</sup> *In re Ah R. Yow*, 59 Fed. 561; *U. S. v. Chung Ki Foon*, 83 Fed. 143.

<sup>13</sup> *U. S. v. Ah Fawn*, 57 Fed. 571; IV Moore, *International Law Digest*, 228.

<sup>14</sup> 25 Stat. 476.

<sup>15</sup> See Tso-Chien Shen, *op. cit.*, pp. 27-28.

<sup>16</sup> 43 Stat. 153, as amended.

A decision of unusual importance was rendered by the Supreme Court, May 13, 1889, in *Chae Chan Ping v. United States* (130 U. S. 581), in which it was held that the act of September 13, 1888, known as the Scott Act,<sup>14</sup> prohibiting Chinese laborers who had previously resided in this country from returning after temporary visits abroad, was constitutional and enforceable, although it violated express stipulations in the treaties of 1868 and 1880 with China. In rendering the opinion Mr. Justice Field said: "The treaties were of no greater legal obligation than the Act of Congress." He expressed the view that a treaty "can be deemed . . . only the equivalent of a legislative act, to be repealed or modified at the pleasure of Congress".

That statement is no doubt sound as far as constitutional law is concerned, but whether the treaty violation was justified from the standpoint of international law is another question. The Chinese Minister did not seem to think so.<sup>15</sup>

After the effective date of the Immigration Act of 1924 Chinese persons were subject to exclusion under two sets of laws, that is, the statutes mentioned above which related expressly to Chinese laborers and the provision of Section 13 (c) of the act of 1924 which reads as follows:<sup>16</sup>

"No alien ineligible to citizenship shall be admitted to the United States unless such alien (1) is admissible as a non-quota immigrant under the provisions of subdivision (b), (d), or (e) of section 4, or (2) is the wife, or the unmarried child under 18 years of age, of an immigrant admissible under such subdivision (d), and is accompanying or following to join him, (3) is not an immigrant as defined in section 3, or (4) is the Chinese wife of an American citizen who was married prior to the approval of the Immigration Act of 1924, approved May 26, 1924."

Subdivision (b) of Section 4, referred to above, relates to wives, husbands, and children of citizens of the United States; subdivision (d), to ministers and professors; and subdivision (e), to students.

The exceptions specified in subdivision (c) coincided fairly well with the exemptions contained in Article II of the Immigration Treaty of 1880, and to most persons it seemed apparent that the Chinese exclusion laws had become, to say the least, a superfluity. The Commissioner General of Immigration, in his annual report for the year 1924, after a careful study of the Immigration Act of 1924, recommended the repeal of the Chinese ex-

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clusion laws, "with some adjustments". In a letter of March 22, 1927 the Chinese chamber of commerce of San Francisco brought the matter to the attention of the Secretary of Labor.

There ensued a considerable period of time before governmental action for repeal was taken. However, the delay may have been to the advantage of the Chinese, since, when the matter finally came to a head and bills, including H.R. 1882 and H.R. 2309, were introduced in Congress for the repeal of the objectionable laws in question, the country seemed to be prepared to go further than repealing these laws; it seemed to be prepared to make Chinese persons eligible for naturalization as citizens of the United States. They had previously been denied naturalization upon the ground that they did not come within the purview of the old law. Under the old law (R.S. 2169) the right to naturalization was extended only "to aliens being free white persons, and to aliens of African nativity and to persons of African descent." By Section 303 of the Nationality Act of 1940<sup>17</sup> eligibility for naturalization was also extended to "descendants of races indigenous to the Western hemisphere". Chinese persons may not be regarded as "aliens of African nativity" or "persons of African descent", since it is a matter of common knowledge that those provisions were inserted in the law after the Civil War for the purpose of making the African Negroes eligible for naturalization. Such being the case, a Chinese person born in Africa could hardly be regarded as an alien "of African nativity" within the meaning and intent of the law. The courts also held that Chinese could not be regarded as "white persons", since this term was intended to be applied to persons of European extraction, usually spoken of as "Caucasians", and Chinese persons were held to be ineligible.<sup>18</sup>

Hearings on H.R. 1882 and H.R. 2309 were held by the Committee on Immigration and Naturalization of the House of Representatives in May and June 1943. They were conducted with unusual care and intelligence, the chairman and members of the Committee evidently appreciating fully the gravity of the problem and the far-reaching effect which the action of Congress would have with regard not only to the immediate domestic problem and the relations of the United States with China in the prosecution of the war but also to the future relations of our country with the Orient.

The repeal of the Chinese exclusion laws was opposed by representatives of certain organizations on the ground that it would result in an influx of hordes of Chinese. The chairman called attention to the errors in these statements and pointed out that, under the quota limitation, only about 107 Chinese could enter annually as immigrants.

The views just mentioned were not shared by most of the witnesses. At the end of the report there is a list of persons and organizations opposing the measure and one of those supporting it. The former occupies one page only, while the latter occupies more than 14 pages.

Altogether, the report of the House Committee hearings is instructive as well as interesting. One striking fact is that the supporters represented not only scientific and religious organizations but a number of the largest business organizations operating in China. Some represented no organization but gave the Committee the benefit of their personal views acquired from long residence in China and close association with the Chinese people.

It is impossible within the limitations of this article to quote at length from the testimony of the various persons who appeared before the Committee. Several who had personally acquired knowledge concerning China and the Chinese people through extensive travel and residence in China drew attention to the movement towards modernizing and industrializing the country and the feeling among the more advanced Chinese that China is entitled to a greater participation in world affairs, which should be accompanied by due respect and equal rights. It was significant that those who had had the most actual experience and contact with China and the Chinese were, in general, those who most strongly supported the bill.

Not only missionaries but representatives of large business concerns having commercial relations with China testified that the exclusion laws had caused a serious "loss of face" on the part of the Chinese, which had an injurious effect on our commercial relations. They were perhaps the strongest advocates of the measure to repeal the laws in question, not only for immediate purposes having relation to the prosecution of the war

<sup>17</sup> 54 Stat. (pt. 1) 1137.

<sup>18</sup> *Re Ah Yup*, 5 Sawy. 155, Fed. Cas. No. 104; *re Gee Hop*, 71 Fed. 274; *Fong Yue Ting v. U. S.* (149 U. S. 716).

against the Axis powers but for purposes of international cooperation and the mutual advantage of the United States and China in the years to come.

Pearl Buck, in the course of her remarks advocating the repeal, called attention to the fact that the Japanese were using the exclusion laws as propaganda in their attempts to prejudice the Chinese against this country. This point was also emphasized by Richard J. Walsh, editor of the magazine *Asia and The Americas*, who quoted at some length from Japanese radio broadcasts on the subject.

In his testimony Dr. Walter H. Judd, formerly a medical missionary in China and now a member of Congress from the State of Minnesota, made an extensive and enlightening statement. In the course of his remarks he said:

"There is no question but that our country, to say nothing of China, is in the most crucial hour in its whole history, and that the self-assurance and confidence with which we have always approached our problems is not wholly justified under present circumstances.

"We are fighting a war on many fronts and we have to consider those fronts in terms of the situation, not as we wish it existed, but as it actually does exist. . . .

"To make sure that China holds until we can defeat Hitler and bring our full force to bear on Japan, we must do two things: We must get more material help to China, more guns, planes, tanks, gasoline, medicines, supplies, technicians, and so forth; and we must get more spiritual help, more to strengthen morale and faith. We all see the necessity of our taking the military offensive in the Pacific as soon as possible; we have not seen how necessary it is that we take and win the political offensive even more quickly. . . . Is there any business before this Congress more important than taking every possible step to make sure the Chinese stay with us, now and in the decades and centuries ahead. There is no more powerful step we can take immediately than to remove the racial stigma in our immigration laws."

The following colloquy between Dr. Judd and Mr. Allen concerning the Chinese is of interest:

"MR. ALLEN. In other words, they want to assert their national pride?

"DR. JUDD. They want to be free.

"MR. ALLEN. A dignified and proud people; is that right?

"DR. JUDD. Yes, and properly so. They have a long heritage and high culture. If any American is inflated with a sense of his own importance and profound wisdom, it would be a good idea for him to go and study Chinese literature and he would come down to earth."

Mr. Farrington, delegate from Hawaii, in the course of his testimony said:

"The Chinese have yielded completely to American influence and constitute, as American citizens, an element of great strength in a community whose position today is of vital importance to the country in this war, and of tremendous significance in the future of the Pacific.

"The record of Hawaii is proof that the Chinese can be accepted into the life of this country without injurious or disastrous results, and on the contrary, can become a great asset to it."

President Roosevelt, in a message to Congress of October 11, 1943, strongly recommended the repeal of the Chinese exclusion laws and an amendment of the law governing naturalization, to make it possible for Chinese to obtain naturalization. After mentioning the fact that China is now an important ally of the United States in the war against Japan and the other Axis powers, the President said:

"But China's resistance does not depend alone on guns and planes and on attacks on land, on the sea, and from the air. It is based as much in the spirit of her people and her faith in her allies. We owe it to the Chinese to strengthen that faith. One step in this direction is to wipe from the statute books those anachronisms in our law which forbid the immigration of Chinese people into this country and which bar Chinese residents from American citizenship.

"Nations like individuals make mistakes. We must be big enough to acknowledge our mistakes of the past and to correct them.

"By the repeal of the Chinese exclusion laws, we can correct a historic mistake and silence the distorted Japanese propaganda. The enactment of



legislation now pending before the Congress would put Chinese immigrants on a parity with those from other countries. The Chinese quota would, therefore, be only about 100 immigrants a year. There can be no reasonable apprehension that any such number of immigrants will cause unemployment or provide competition in the search for jobs.

"The extension of the privileges of citizenship to the relatively few Chinese residents in our country would operate as another meaningful display of friendship. It would be additional proof that we regard China not only as a partner in waging war, but that we shall regard her as a partner in days of peace. While it would give the Chinese a preferred status over certain other oriental people, their great contribution to the cause of decency and freedom entitles them to such preference.

"I feel confident that the Congress is in full agreement that these measures—long overdue—should be taken to correct an injustice to our friends. Action by the Congress now will be an earnest of our purpose to apply the policy of the good neighbor to our relations with other peoples."

The unusual importance of this measure was emphasized in the report of the Senate Committee on Immigration presented by Senator Andrews on November 16, 1943 recommending the passage of H.R. 3070. Special attention is called to the following passages in the report:

"The original act of exclusion was not born of ill will toward the Chinese people. The motivation was exclusively economic. But profound changes have taken place in 60 years.

"We have had time and abundant occasion to reflect on the extraordinary qualities of the Chinese people. Above all, the tenacity and courage of the Chinese in their terrible ordeal of the last 7 years has impelled a respect that we are proud to acknowledge.

"It is clear today that only a few short years stand between the Chinese people and the full use of their vast resources, both human and material, for their own betterment and well-being, free from any outside control. It has always been the policy of the United States to help China in her struggle against encroachment upon her independence and sovereignty, and we are now brothers in arms in that cause. It is fitting, therefore, that the incon-

gruity of discriminatory legislation, inconsistent with the dignity of both our peoples, should be eliminated."<sup>19</sup>

In letters of October 1, 1943 the Honorable Richard B. Russell, chairman of the Committee on Immigration of the Senate, requested the views of the Department of State and the Department of Justice on Senate bill 1404 "to repeal the Chinese Exclusion Acts, to establish quotas, and for other purposes". This was the Senate companion bill to H.R. 3070.

In his reply of October 11, 1943 the Under Secretary of State, Mr. Stettinius, after summarizing the bill, said:

"As the bill will remove discriminations against the Chinese which have been a source of misunderstanding in the relations between the United States and China for over 60 years and have aroused widespread resentment among the Chinese people its enactment is recommended."

In his reply of October 13, 1943 Attorney General Biddle observed that the quota limitation introduced into the laws of this country by the Immigration Act of 1924 furnishes "a sufficient protection to this country against excessive immigration, generally, and against the possibility of an unreasonable number of immigrants from any one country." In this connection he said that under the proposed quota provisions the Chinese quota would be only 105, so that no useful purpose would be served by retaining the Chinese exclusion laws. He concluded as follows:

"The heroism of the Chinese people has won the respect and admiration of the United Nations. A repeal by the Congress of our antiquated exclusion laws can be an expression of our gratitude and a symbol of our esteem.

"Similarly, we should extend to Chinese residents in this country the same eligibility for citizenship that is now given peoples of other nations. While only approximately 45,000 Chinese residents who are in the United States would benefit directly by such action, the good will created would extend to the millions in China who are fighting at our side.

(Continued on page 331)

<sup>19</sup> S. Rept. 535, 78th Cong., 1st sess.

## Formation of Rubber Study Group

[Released to the press September 22]

As the outgrowth of the exploratory rubber talks recently concluded in London the Department of State announced United States participation in an informal Rubber Study Group. This group, composed of representatives of the Governments of the Netherlands, the United Kingdom, and the United States, will meet from time to time to discuss common problems arising from the production, manufacture, and use of rubber—crude, synthetic, and reclaimed.<sup>1</sup>

Studies will be initiated and possible solutions to rubber problems will be considered. However, the group as such will not formulate and transmit recommendations to the participating governments, although the latter will be kept fully informed of the proceedings of the group through their representatives.

Arrangements will be made for other interested governments to be kept informed of the studies made and of the results of the discussions so far as practicable.

The Rubber Study Group will continue to function during such period as, in the opinion of each of the participating Governments, it continues to serve the purposes for which it is designed.

A first program of studies is under way on both sides of the Atlantic as a basis for future discussions.

## The Proclaimed List

### REVISION VIII AND SUPPLEMENT 1

[Released to the press September 20]

The Secretary of State, acting in conjunction with the Acting Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Administrator of the Foreign Economic Administration, and the Coordinator of Inter-American Affairs, pursuant to the proclamation by the President of July 17, 1941 providing for The Proclaimed List of Certain Blocked Nationals, on September 13, 1944 issued Revision VIII of the Proclaimed List. Revision VIII supersedes Revision VII, dated March 23, 1944, and consolidates Revision VII with its six supplements.

No new additions to or deletions from the Proclaimed List are made in this revision. Certain minor changes in the spelling of names listed are made.

Revision VIII follows the listing arrangement used in Revision VII. The list is divided into two parts: Part I relates to listings in the American republics and part II to listings in countries other than the American republics. Revision VIII contains a total of 15,411 listings, of which 9,915 are in part I and 5,496 in part II.

[Released to the press September 23]

The Secretary of State, acting in conjunction with the Acting Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Administrator of the Foreign Economic Administration, and the Coordinator of Inter-American Affairs, on September 23 issued Cumulative Supplement 1 to Revision VIII of the Proclaimed List of Certain Blocked Nationals, promulgated September 13, 1944.

Part I of Cumulative Supplement 1 contains 35 additional listings in the other American republics and 161 deletions. Part II contains 82 additional listings outside the American republics and 45 deletions.

## Discussions by Cuban and United States Commissions

[Released to the press September 22]

Cuban and United States commissions have engaged in Washington in joint discussions involving further purchases by United States Government agencies of sugar, invert and blackstrap molasses, and alcohol from Cuba.<sup>2</sup>

After a careful analysis of the situation and mutually helpful discussions of the various problems involved, the two commissions have agreed to suspend the discussions because certain important matters require careful reexamination in both countries.

The negotiations have been conducted in the high spirit of mutual cooperation that has characterized previous negotiations between Cuba and the United States.

<sup>1</sup> BULLETIN of July 23, 1944, p. 84, and Aug. 13, 1944, p. 156.

<sup>2</sup> BULLETIN of Jan. 29, 1944, p. 132.

## Visit of Venezuelan Agronomist

[Released to the press September 19]

Dr. R. Pinto Salvatierra, director of the Venezuelan Institute of Agriculture and dean of the Faculty of Agronomy in the University of Venezuela, is a guest of the Department of State. While on a tour of agricultural areas in this country Dr. Pinto will visit the potato-growing regions of Maine and will inspect rice and cotton fields in the south and citrus orchards in California.

Dr. Pinto will consult Government agronomists and other technical experts regarding construction plans of the Institute of Agriculture, which is soon to be transferred from Caracas to an enlarged establishment at Maracay.

The Department of Agriculture is cooperating in arranging plans for Dr. Pinto's itinerary in the United States. On a grant from the Rockefeller Foundation he will tour agricultural centers in Central America, and on the return voyage to Venezuela he will visit Puerto Rico in order to study agricultural development on that island.

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ZWEMER—Continued from page 321

tions and serve as strong links of mutual understanding. Through the dissemination of advanced technical methods and procedures experts lent by the United States not only provide useful service to the receiving governments, but they also aid greatly in the prosecution of the war effort.

Such undertakings are planned for the purpose of utilizing fully the human and material resources of the hemisphere in the interest of mutual advancement of all the peoples of the American republics.

In a report to President Roosevelt the Under Secretary of State supported the activities of the Committee as a medium of effecting a lasting peace:

"Programs of this character are an effective means of achieving international, hence national, security. Measures which spread an understanding of the democratic way of life and diffuse scientific knowledge useful in organizing it, may be made the support of political and economic peace

measures. In this connection it should be emphasized that the amelioration of the lives of common men is actually achieved only as they learn new ways of doing things. Thus the cooperative program may provide means of creating necessary conditions for orderly and peaceful development. In providing the world's peoples with the means of doing better for themselves, the American people will be creating conditions favorable to the development of their own way of life; and in this prospect alone is true national security.

"Since these cooperative activities provide the means of social advancement to peoples in the shape of books, trained persons, and other means of diffusing knowledge, they do not excite either political antipathy, or fear of foreign domination, or dread of interference with domestic politics. As non-political and non-patronizing activities, they are truly the means of implementing a foreign policy of a democratic people whose national interest is the maintenance and orderly development of their democracy.

"... it is evident that there is an urgent need for a constructive program of long-term and continuing character, not only with the republics of the Western Hemisphere but on a world-wide basis . . . it is desirable that activities developed in furtherance of the program should not be inaugurated merely on an opportunistic basis as crises arise but should be part of a considered and integrated plan.

"To ensure the formulation of a suitable and comprehensive program and its effective operation, funds should be provided in one appropriation administered under the direction of one responsible agency."<sup>1</sup>

Long-range policy of the Department of State tends "increasingly to encourage democratic international cooperation in developing reciprocal and desirable educational and cultural relations among the nations and peoples of the world, especially looking toward the promotion of free and friendly intellectual intercourse among them in the interest of international peace and security."<sup>2</sup>

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<sup>1</sup> BULLETIN of Mar. 4, 1944, p. 217.

<sup>2</sup> BULLETIN of Apr. 1, 1944, p. 300.



## THE DEPARTMENT

### Establishment of a Division of Cryptography<sup>1</sup>

*Purpose.* In order to assure the security of the Department's cryptographic system there is established by this order in the Office of Departmental Administration a Division of Cryptography which shall develop and operate the Department's cryptographic plan (that is, the construction of codes, the development of procedures, and methods for using such codes, and the selection of equipment, designed to meet the needs of the Department and Foreign Service posts) and maintain the security of information transmitted by means of cryptographic systems.

1 *Responsibilities of the Division.* The Division of Cryptography shall have responsibility in the following matters:

(a) Formulation, initiation, and coordination of policy and action with respect to a cryptographic plan for the Department;

(b) Responsibility for the cryptographic security of telegraphic communications between the Department and Foreign Service posts, including the formulation of rules, methods, and techniques to be observed;

(c) Establishment and operation of a continuing study of telegraphic communications and security practices in connection with the development of a security program and the determination of action to be taken in case of security violation;

(d) Initiation of a formal security training program for communication personnel in the Department and in Foreign Service posts and furnishing consultant and advisory services to visiting chiefs of missions and United States Foreign Service officers on security problems.

(e) Inspection of communication facilities and security practices at Foreign Service posts and recommendation for necessary corrective measures;

2 *Organization of the Division.* The Division shall be composed of a Security Section and an Operations Section which shall function under the direction of the Chief.

(a) *Functions of the Operations Section.* The Operations Section shall be responsible for (1) developing the Department's cryptographic plan;

(2) providing suitable cryptographic systems for implementation of the cryptographic plan; and (3) distributing and keeping account of cryptographic material.

(b) *Functions of the Security Section.* The Security Section shall be responsible for (1) reviewing telegraphic communications as a basis for the development of the Department's cryptographic plan and the detecting of security violations; and (2) rendering technical assistance on the preparation of cryptographic systems and instructions for their implementation.

3 *Relations with other divisions.* The Division of Cryptography shall work with officers of the Department and the Foreign Service in applying security techniques to the preparation of telegrams and shall work in collaboration with the Office of the Security Officer in all matters affecting overall security of telegraphic communications. The Division shall also work closely with the Division of Communications and Records in the development of security practices affecting the operation of cryptographic systems and in the formal training of communication personnel in such practices.

4 *Relations with other agencies.* The Division of Cryptography shall maintain liaison with the Joint Communications Board of the War and Navy Departments and with cryptographic security sections of other agencies of the government for the purpose of utilizing the latest developments and experience in the science of cryptography and cryptanalysis.

5 *Routing symbol.* The routing symbol of the Division of Cryptography shall be CY.

6 *Transfer of personnel and records.* The personnel and records now located in the Office of the Assistant Secretary in charge of administration which are involved in the performance of the functions outlined in this order, are hereby transferred to the Division of Cryptography.

7 *Previous order amended.* This order amends that section of Departmental Order 1218 of January 15, 1944 concerning the responsibilities and functions of the Office of Departmental Administration.

CORDELL HULL

<sup>1</sup> Departmental Order 1288, dated and effective Sept. 20, 1944.

SEPTEMBER 20, 1944.

## Appointment of Officers

[Released to the press September 21]

The Secretary of State announced on September 21 the appointment of Dr. Bryn J. Hovde of Pittsburgh, Pennsylvania, as Chief of the Division of Cultural Cooperation, effective October 3.

Dr. Hovde was born May 17, 1896 in Jersey City, New Jersey. He was graduated in 1915 from Luther College in Decorah, Iowa, with the B. A. degree. He received the M. A. degree in American and modern European history in 1919 and the Ph.D. degree in modern European history in 1924, from the University of Iowa.

Dr. Hovde is the author of the recently published two-volume *History of the Scandinavian Countries, 1720-1865*. He is also the author of *Diplomatic Relations Between the United States and Sweden and Norway, 1792-1905*, and various articles on modern European history in professional journals, and has published a number of articles on public housing.

Dr. Hovde was an instructor at Luther College, Decorah, Iowa, from September 1916 to June 1917. He served as a second lieutenant in the Fortieth Coast Artillery Regiment during the last war, after which he returned to Luther College where he was instructor and acting dean of men until June 1923. He was assistant professor of history and political science at Allegheny College, Meadville, Pennsylvania, from 1924 to 1927. From 1927 to 1937 he served as associate professor of history at the University of Pittsburgh. During the year 1930-31 Dr. Hovde was abroad on a fellowship from the John Simon Guggenheim Memorial Foundation. He has traveled extensively in European countries. Dr. Hovde was appointed director of the Department of Public Welfare for the city of Pittsburgh in December 1936 and served in that capacity until September 1938. From September 1938 to the present he has been administrator of the housing authority of the city of Pittsburgh.

Mr. Charles A. Thomson, formerly Chief of the Division of Cultural Relations, who was appointed in January of this year to the position of Adviser in the Office of Public Information, will continue to give active attention to questions of policy in the development of the Department's cultural-cooperation program.

Robert E. Ward, Jr., has been appointed as Chief of the Division of Departmental Personnel, effective September 1, 1944.

Cavendish W. Cannon has been appointed as Chief of the Division of Southern European Affairs, effective October 1, 1944.

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### FLOURNOY—Continued from page 327

"Accordingly, I recommend the enactment of the bill."

The Committee on Immigration and Naturalization of the House of Representatives, instead of reporting out either of the two bills originally introduced for the repeal of the Chinese exclusion laws, used them as the basis of a new bill (H.R. 3070) prepared in the Committee. Section 1 repeals the old exclusion laws; Sections 2 and 3 read as follows:

"SEC. 2. With the exception of those coming under subsections (b), (d), (e), and (f) of section 4, Immigration Act of 1924 (43 Stat. 155; 44 Stat. 812; 45 Stat. 1009; 46 Stat. 854; 47 Stat. 656; 8 U. S. C. 204), all Chinese persons entering the United States annually as immigrants shall be allocated to the quota for the Chinese computed under the provisions of section 11 of the said Act. A preference up to 75 per centum of the quota shall be given to Chinese born and resident in China.

"SEC. 3. Section 303 of the Nationality Act of 1940, as amended (54 Stat. 1140; 8 U. S. C. 703), is hereby amended by striking out the word 'and' before the word 'descendants', changing the colon after the word 'Hemisphere' to a comma, and adding the following: 'and Chinese persons or persons of Chinese descent:.'"

The bill was passed by large majorities in both houses of Congress and was promptly approved by the President on December 17, 1943. Telegraphic instructions to American Missions and Consular Offices concerning the administration of the law were sent by the Department on December 20, 1943, and these have of course been supplemented by special instructions.

The new Chinese quota of 105 was proclaimed by the President on February 8, 1944.<sup>20</sup>

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<sup>20</sup> Proclamation 2603. See *Federal Register*, Feb. 10, 1944.

## THE FOREIGN SERVICE

### Confirmations

On September 20, 1944 the Senate confirmed the following nominations:

Walter Thurston as Ambassador Extraordinary and Plenipotentiary to Bolivia.

John F. Simmons as Ambassador Extraordinary and Plenipotentiary to El Salvador.

Arthur Bliss Lane as Ambassador Extraordinary and Plenipotentiary to the Government of Poland now established in London.

Charles Sawyer as Ambassador Extraordinary and Plenipotentiary to Belgium, to serve concurrently as Envoy Extraordinary and Minister Plenipotentiary to Luxembourg.

Stanley K. Hornbeck as Ambassador Extraordinary and Plenipotentiary to the Netherlands.

Richard C. Patterson, Jr., as Ambassador Extraordinary and Plenipotentiary to the Government of Yugoslavia now established in London.

Lithgow Osborne as Ambassador Extraordinary and Plenipotentiary to the Government of Norway now established in London.

John C. Wiley as Ambassador Extraordinary and Plenipotentiary to Colombia.

George Wadsworth as Envoy Extraordinary and Minister Plenipotentiary to the Lebanese Republic, to serve concurrently as Envoy Extraordinary and Minister Plenipotentiary to the Republic of Syria.

### Death of Fay Allen Des Portes

*Statement by THE SECRETARY OF STATE*

[Released to the press September 18]

I have been deeply grieved to learn of the sudden death at Gorgas Hospital, Panama, on Saturday night of Mr. Fay Allen Des Portes. He had served his country faithfully and well for 11 years as Minister to Bolivia and then to Guatemala and more recently as Ambassador to Costa Rica. He was also chairman of the American Delegation to the Central American Regional Radio Conference in Guatemala in 1938. The country has lost a highly valued servant.

### U. S. Representative in France

[Released to the press September 21]

The President has appointed Jefferson Caffery as Representative of the United States, with the personal rank of Ambassador, to the *de facto* French authority now established at Paris.

Mr. Caffery succeeds Edwin C. Wilson who was Representative of the United States to the French Committee of National Liberation at Algiers.

It is expected that Mr. Caffery will proceed to his new post in the near future.

### Appointment of Special Assistant To Ambassador at London

[Released to the press September 23]

Mr. Hamilton Fish Armstrong has been appointed Special Assistant to Ambassador John G. Winant at London with the personal rank of Minister. He will leave for his post within a short time.

Mr. Armstrong was born in New York City on April 7, 1893. He was graduated from Princeton University, A. B., 1916. He was a 1st lieutenant in the first World War; was appointed Acting Military Attaché at Belgrade, Serbia, in December 1917, and resigned July 1918; was a member of the editorial staff of the *New York Evening Post* from 1919 to 1921; and since 1922 has been editor of *Foreign Affairs*. Mr. Armstrong was a delegate to the International Studies Conferences in Paris in 1929 and in London in 1933 and 1935. He is a trustee of the Woodrow Wilson Foundation (Vice President 1928-30 and President 1935-37), and a member of the President's Advisory Committee on Political Refugees. From time to time he has been a Consultant to the Department of State.

### Embassy at Brussels

The American Embassy at Brussels, Belgium, was reestablished on September 14, 1944; it will function as a combined office.



## Death of John James Meily

Statement by THE SECRETARY OF STATE

[Released to the press September 23]

I am distressed to learn of the tragic death in an airplane accident near Bahia, Brazil, of Consul General John James Meily and his wife while en route to his new post at Recife, Brazil.

Mr. Meily was a career officer with a record of more than 20 years' faithful service in the American Foreign Service. He died in the line of duty no less than our men at the battle fronts.

## PUBLICATIONS

### DEPARTMENT OF STATE

During the quarter beginning July 1, 1944, the following publications have been released by the Department:<sup>1</sup>

- 2106. Lease of Defense Sites: Agreement and Exchanges of Notes Between the United States of America and Panama—Agreement signed at Panamá May 18, 1942; effective May 11, 1943. Executive Agreement Series 350. 17 pp. 10¢.
- 2131. Establishment of the Inter-American Cooperative Food Production Service in Peru: Agreement Between the United States of America and Peru—Effectuated by exchange of notes signed at Lima May 19 and 20, 1943. Executive Agreement Series 385. 9 pp. 5¢.
- 2135. Canol Project Areas: Agreement Between the United States of America and Canada—Effectuated by exchanges of notes signed at Ottawa January 18, February 17, and March 13, 1943. Executive Agreement Series 389. 4 pp. 5¢.
- 2136. Post-War Disposition of Defense Installations and Facilities: Agreement Between the United States of America and Canada—Effectuated by exchange of notes signed at Ottawa January 27, 1943. Executive Agreement Series 391. 4 pp. 5¢.
- 2137. The Cultural-Cooperation Program, 1938-1943. Prepared by Haldore Hanson. ii, 71 pp. 15¢.
- 2140. Wheat: Memorandum of Agreement Between the United States of America, Argentina, Australia, Canada, and the United Kingdom, and Related Papers—Memorandum of agreement initialed at Washington April 22, 1942; effective June 27, 1942. Executive Agreement Series 384. 25 pp. 10¢.
- 2141. The Statesman: A Handbook for the Employees of the Department of State. By Richardson Dougall and Madge S. Lazo, Personnel Relations Section, Division of Departmental Personnel. iv, 96 pp. Free.
- 2142. Lease of White Pass and Yukon Railway: Agreement Between the United States of America and Canada—Effectuated by exchange of notes signed at Ottawa February 22 and 23, 1943. Executive Agreement Series 390. 6 pp. 5¢.
- 2143. International Convention Relating to the Regulation of Aerial Navigation with the Annexes to the Convention and Protocols of Proposed Amendments, Dated October 13, 1919. (Reproduced from Official Bulletin No. 26 of December 1938 of the International Commission for Air Navigation.) iv, 148 pp., charts. 60¢.
- 2146. The Proclaimed List of Certain Blocked Nationals: Cumulative Supplement No. 4, June 30, 1944, to Revision VII of March 23, 1944. ii, 46 pp. Free.
- 2147. The Department of State Bulletin, vol. X, no. 261, June 24, 1944. 28 pp. 10¢.<sup>2</sup>
- 2148. The Department of State Bulletin, vol. XI, no. 262, July 2, 1944. 32 pp. 10¢.
- 2149. Diplomatic List, July 1944. ii, 123 pp. Subscription, \$1.50 a year; single copy, 15¢.
- 2150. Publications of the Department of State (a list cumulative from October 1, 1929). July 1, 1944. iv, 31 pp. Free.
- 2151. The Department of State Bulletin, vol. XI, no. 263, July 9, 1944. 24 pp. 10¢.
- 2152. The Department of State Bulletin, vol. XI, no. 264, July 16, 1944. 24 pp. 10¢.
- 2153. The Proclaimed List of Certain Blocked Nationals: Cumulative Supplement No. 5, July 28, 1944, to Revision VII of March 23, 1944. ii, 58 pp. Free.
- 2154. The Department of State Bulletin, vol. XI, no. 265, July 23, 1944. 24 pp. 10¢.
- 2155. The Department of State Bulletin, vol. XI, no. 266, July 30, 1944. 28 pp. 10¢.
- 2156. Index to the Department of State Bulletin, vol. X, nos. 236-261, January 1-June 24, 1944. 28 pp. Free.
- 2157. Diplomatic List, August 1944. ii, 123 pp. Subscription, \$1.50 a year; single copy, 15¢.
- 2158. The Department of State Bulletin, vol. XI, no. 267, August 6, 1944. 20 pp. 10¢.
- 2159. State Department Aid to Cultural Exchange With China. By Willys R. Peck, Special Assistant in the Office of Public Information. Far Eastern Series 6. ii, 20 pp. 5¢.
- 2160. The Department of State Bulletin, vol. XI, no. 268, August 13, 1944. 20 pp. 10¢.
- 2161. Foreign Service List (Abridged), July 1, 1944. ii, 61 pp. Subscription, 50¢ a year (65¢ foreign); single copy, 20¢.
- 2162. War Documents. iv, 40 pp. 10¢.
- 2163. The Proclaimed List of Certain Blocked Nationals: Cumulative Supplement No. 6, August 25, 1944, to Revision VII of March 23, 1944. ii, 74 pp. Free.
- 2164. The Department of State Bulletin, vol. XI, no. 269, August 20, 1944. 24 pp. 10¢.
- 2165. The Department of State Bulletin, vol. XI, no. 270, August 27, 1944. 36 pp. 10¢.

<sup>1</sup> Serial numbers which do not appear in this list have appeared previously or will appear in subsequent lists.

<sup>2</sup> Subscription, \$2.75 a year.

2166. Jurisdiction Over Criminal Offenses Committed by Armed Forces: Agreement Between the United States of America and India—Effectuated by exchange of notes signed at New Delhi September 29 and October 10, 1942; effective October 26, 1942. Executive Agreement Series 392. 10 pp. 5¢.
2170. The Department of State Bulletin, vol. XI, no. 271, September 3, 1944. 20 pp. 10¢.
2174. Diplomatic List, September 1944. 11, 124 pp. Subscription, \$1.50 a year; single copy, 15¢.
2175. The Proclaimed List of Certain Blocked Nationals: Revision VIII, September 13, 1944, Promulgated Pursuant to Proclamation 2497 of the President of July 17, 1941. 11, 382 pp. Free.
2176. The Department of State Bulletin, vol. XI, no. 272, September 10, 1944. 36 pp. 10¢.
2178. The Proclaimed List of Certain Blocked Nationals: Cumulative Supplement No. 1, September 22, 1944, to Revision VIII of September 13, 1944. 11, 19 pp. Free.
2179. The Department of State Bulletin, vol. XI, no. 273, September 17, 1944. 24 pp. 10¢.

The Department of State also publishes the slip laws and Statutes at Large. Laws are issued in a special series and are numbered in the order in which they are signed. Treaties also are issued in a special series and are numbered in the order in which they are proclaimed. Spanish, Portuguese, and French translations, prepared by the Department's Central Translating Division, have their own publication numbers running consecutively from 1. All other publications of the Department since October 1, 1929 are numbered consecutively in the order in which they are sent to press; in addition, some of them are subdivided into series according to general subject.

To avoid delay, requests for publications of the Department of State should be addressed direct to the Superintendent of Documents, Government Printing Office, Washington 25, D.C., except in the case of free publications, which may be obtained from the Department. The Superintendent of Documents will accept deposits against which the cost of publications ordered may be charged and will notify the depositor when the deposit is exhausted. The cost to depositors of a complete

set of the publications of the Department for a year will probably be somewhat in excess of \$15. Orders may be placed, however, with the Superintendent of Documents for single publications or for one or more series.

The Superintendent of Documents also has, for free distribution, the following price lists which may be of interest: Foreign Relations of the United States; American History and Biography; Laws; Commerce and Manufactures; Tariff; Immigration; Alaska and Hawaii; Insular Possessions; Political Science; and Maps. A list of publications of the Bureau of Foreign and Domestic Commerce may be obtained from the Department of Commerce.

#### OTHER GOVERNMENT AGENCIES

The article listed below will be found in the September 23 issue of the Department of Commerce publication entitled *Foreign Commerce Weekly*, copies of which may be obtained from the Superintendent of Documents, Government Printing Office, for 10 cents each:

"Chile Moves To Develop Local Edible Oil Supply", based on report from the American Embassy, Santiago, Chile.

### TREATY INFORMATION

#### Military-Mission Agreement With Iran

There has been effected by an exchange of notes signed in Washington on August 4 and September 6, 1944, between the Minister of Iran in Washington and the Secretary of State, an extension, for a period of one year, of an agreement signed at Tehran on November 27, 1943 between the Governments of the United States of America and Iran which provides for the assignment of a United States military mission to Iran.<sup>1</sup> The extension is effective as of October 2, 1944.

<sup>1</sup> Executive Agreement Series 361. See also BULLETIN of July 23, 1944, p. 88.